

**Commonwealth of Kentucky**  
**Natural Resources and Environmental Protection Cabinet**  
**Department for Environmental Protection**  
**Division for Air Quality**  
**803 Schenkel Lane**  
**Frankfort, Kentucky 40601**  
**(502) 573-3382**

**Title V**  
**AIR QUALITY PERMIT**  
**Issued under 401 KAR 52:020**

**Permittee Name:** Grupo Antolin Kentucky, Inc.  
**Mailing Address:** 208 Commerce Court, Hopkinsville, Kentucky 42240

**Source Name:** Grupo Antolin Kentucky, Inc.  
**Mailing Address:** 208 Commerce Court  
Hopkinsville, Kentucky 42240

**Source Location:** 208 Commerce Court, Hopkinsville, Kentucky  
**UTM:** 4076.2N, 460.3E

**Permit Number:** V-02-023  
**Log Number:** 54046  
**Review Type:** Construction/Operation  
**Source ID #:** 21-047-00084  
**SIC Code:** 3714

**Regional Office:** Paducah Regional Office  
4500 Clarks River Road  
Paducah, KY 42003

**County:** Christian

**Application**  
**Complete Date:** April 4, 2002  
**Issuance Date:** August 14, 2002  
**Expiration Date:** August 14, 2007

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**John S. Lyons, Director**  
**Division for Air Quality**

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## **SECTION A - PERMIT AUTHORIZATION**

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the [construction/operation](#) of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:020, Title V Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

## **SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS**

### **EP03            Four Foam Cutting Machines**

#### **Description:**

EP03 is 4 Fecken Kirfel H24E foam cutting machines with integral dust control systems.

Construction commenced:                      1995.

#### **APPLICABLE REGULATIONS:**

Regulation **401 KAR 59:010**, New process operations applicable to each affected facility associated with a process operation which is not subject to another emission standard with respect to particulates in Chapter 59 of 401 KAR commenced on or after July 2, 1975.

#### **Operating Limitations :**

##### **401 KAR 59:010**

The following limit shall apply to assure compliance with Emission Limitations #1 and #2.

1. The control system on each of these machines shall be operated and maintained in accordance with the manufacturer's recommendations unless otherwise allowed in this permit.

#### **Emission Limitations :**

##### **401 KAR 59:010**

1. Section 3(1) limits visible emissions from each machine to less than 20% opacity.
2. Section 3(2) limits total particulate matter emissions from flues, conduits, or ducts associated with each machine to a maximum of 2.34 lbs/hr if the process weight rate for the machine is 1,000 lbs/hr or less. If the process weight rate for any cutting machine is above 1,000 lbs/hr, Section 3(2) limits emissions of particulate matter from the machine to a maximum that can be determined (in lbs/hr) by taking the process weight rate for materials introduced into the machine (in tons/hr), raising the process weight rate value to the 0.62 power, and multiplying by 3.59 (maximum =  $3.59 \times \text{process weight rate}^{0.62}$ ).

##### **Compliance Demonstration Method:**

Compliance with Operating Limitation #1 may be used to demonstrate compliance unless the Cabinet deems testing (in accordance with 40 CFR 60 Appendix A, Method 9 or 5) necessary.

#### **Testing Requirements:**

Testing shall be conducted at such times as may be required by the cabinet in accordance with Regulations 401 KAR 59:005 Section 2(2) and 401 KAR 50:045 Section 4.

#### **Specific Monitoring Requirements:**

N/A

## **SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

### **Specific Record Keeping Requirements:**

#### **401 KAR 59:010**

The following is required as part of compliance demonstration for Emission Limitations #1 and #2.

1. Maintenance (including filter cleaning and replacement) performed as part of compliance with Operating Limitation #1 shall be recorded and include date and time when performed.

### **Specific Reporting Requirements:**

#### **401 KAR 59:010**

The following is required as part of compliance demonstration for Emission Limitations #1 and #2.

1. Report semiannually any deviations from the above terms and conditions during the period.

### **Specific Control Equipment Operating Conditions:**

N/A

### **Alternate Operating Scenarios:**

N/A

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

**EP04A**      **Five Roll Coat Adhesive Application Booths for Headliner Production**  
**EP05**      **One Roll Coat Adhesive Application Booth for Packaging Tray (Rear Window Deck Board) Production.**

**Description:**

In EP04A, adhesive is roll coated onto foam sheets as part of headliner production.

In EP05, adhesive is roll coated onto foam sheets as part of packaging tray production.

EP04A Construction Commenced:                      1995.

EP05 Construction Commenced:                      1999.

**APPLICABLE REGULATIONS:**

None

**Operating Limitations:**

N/A

**Emission Limitations:**

N/A

**Testing Requirements:**

Testing shall be conducted at such times as may be required by the cabinet in accordance with Regulation 401 KAR 50:045 Section 4.

**Specific Monitoring Requirements:**

N/A

**Specific Record Keeping Requirements:**

N/A

**Specific Reporting Requirements:**

N/A

**Specific Control Equipment Operating Conditions:**

N/A

**Alternate Operating Scenarios:**

N/A

## **SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

### **EP04B Two Spray Coat Adhesive Application Booths for Headliner Production**

#### **Description:**

EP04B is 2 spray booths. Each booth is designed with a downdraft airflow pattern.

Foam sheets enter each booth through a small opening on a conveyor. Adhesive is sprayed downward onto the sheets. The sheets exit each booth through a small opening on a conveyor and become part of the assembled headliners.

Transfer efficiency has been assumed to be 25%.

Each booth has been assumed to capture 100% of the particulate matter emissions.

Particulate emissions from each booth are controlled by a water curtain followed by a dry filter. The control efficiency has been assumed to be 90%.

Dirty spray heads are cleaned by placing the spray heads in a pan of solvent and heating the solvent in one of two electric ovens. Following heating in an oven, the spray heads are brushed off.

Construction commenced: 1995.

#### **APPLICABLE REGULATIONS:**

Regulation **401 KAR 59:010**, New process operations applicable to each affected facility associated with a process operation which is not subject to another emission standard with respect to particulates in Chapter 59 of 401 KAR commenced on or after July 2, 1975.

#### **Operating Limitations :**

##### **401 KAR 59:010**

The following limits shall apply to assure compliance with Emission Limitations #1 and #2.

1. At all times when spraying, the respective booth filters shall be in place and shall be replaced when determined to be inefficient (as determined through visual inspection).
2. The water curtains on each of these booths shall be operated and maintained in accordance with the manufacturer's recommendations unless otherwise allowed in this permit.

#### **Emission Limitations :**

##### **401 KAR 59:010**

1. Section 3(1) limits visible emissions from each booth to less than 20% opacity.
2. Section 3(2) limits total particulate matter emissions from each booth to a maximum of 2.34 lbs/hr.

#### **Compliance Demonstration Method:**

Compliance with Operating Limitations #1 and #2 may be used to demonstrate compliance unless the Cabinet deems testing (in accordance with 40 CFR 60 Appendix A, Method 9 or 5) necessary.

#### **Testing Requirements:**

Testing shall be conducted at such times as may be required by the cabinet in accordance with Regulations 401 KAR 59:005 Section 2(2) and 401 KAR 50:045 Section 4.

## **SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

### **Specific Monitoring Requirements:**

#### **401 KAR 59:010**

The following is required as part of compliance demonstration for Emission Limitations #1 and #2.

1. Filter condition shall be observed daily (when booth is operated).

### **Specific Record Keeping Requirements:**

#### **401 KAR 59:010**

The following is required as part of compliance demonstration for Emission Limitations #1 and #2.

1. Filter observations such as clogged, torn, or operational shall be recorded when monitored and include date and time.
2. Filter replacement and other corrective actions for compliance with Operating Limitation #1 shall be recorded and include date and time.
3. Maintenance performed as part of compliance with Operating Limitation #2 shall be recorded and include date and time when performed.

### **Specific Reporting Requirements:**

#### **401 KAR 59:010**

The following is required as part of compliance demonstration for Emission Limitations #1 and #2.

1. Report semiannually any deviations from the above terms and conditions during the period.

### **Specific Control Equipment Operating Conditions:**

N/A

### **Alternate Operating Scenarios:**

N/A



**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****EP06                    A 1,000 lb/hr Industrial Waste Incinerator****Description:**

EP06 is a PHCA-1000 Pennram Diversified Manufacturing incinerator or equivalent with a scrubber.

The incinerator has a maximum rated capacity of 1,000 lbs/hr and is a modular starved-air combustor with 2 combustion chambers.

Waste is charged into the first chamber where the waste's volume is reduced by volatilization and incomplete oxidation of the combustible part of the waste. The incombustible part of the waste remains in the ash and the volatilized portion continues to the second combustion chamber. In the second combustion chamber oxidation is nearly completed by utilizing temperatures of approximately 2000° F, approximately 2 seconds of residence time, and excess air.

The scrubber will control dust and some other emissions (such as acids) through countercurrent flow of caustic treated water. Control efficiency is estimated at or above 90%.

Construction commenced:                    projected for July 2002.

**APPLICABLE REGULATIONS:**

Regulation **401 KAR 59:020**, New incinerators, is applicable to each incinerator commenced on or after June 6, 1979.

Regulation **401 KAR 60:005**, 40 CFR Part 60 standards of performance for new stationary sources, is applicable due to incorporation by reference of 40 CFR 60 Subpart CCCC, Standards of performance for commercial and industrial solid waste incineration units for which construction is commenced after November 30, 1999 or for which modification or reconstruction is commenced on or after June 1, 2001.

**Specific definitions applicable to terms and conditions related to this emission point:**

“Accessible” means directly operating the incinerator, at the facility, or can be at the facility within 1 hour.

A “qualified operator” is a person who successfully passes the examination for a State-approved incinerator training course or an equivalent training course and maintains the qualified status through an annual review or refresher course.

A “review or refresher course” is a training course that, at a minimum, covers:

1. Applicable regulation updates;
2. Incinerator operation (including startup and shutdown procedures, waste charging, and ash handling);
3. Inspection and maintenance;
4. Responses to malfunctions or conditions that may lead to malfunction; and
5. A discussion of operating problems encountered by attendees.

“Site-specific information” is:

1. A summary of the applicable standards required by this permit for the incinerator,
2. Procedures for receiving, handling, and charging waste,

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

3. Incinerator startup, shutdown, and malfunction procedures,
4. Procedures for maintaining proper combustion air supply levels,
5. Procedures for operating the incinerator and associated air pollution control systems within the standards established by this permit,
6. Monitoring procedures for demonstrating compliance with the incinerator operating limits,
7. Reporting and record keeping procedures associated with operation of the incinerator,
8. The waste management plan submitted to the division for the incinerator,
9. Procedures for handling ash,
10. A list of the wastes burned during the performance test,
11. The name of each operator who has reviewed items 1 through 10 of the site-specific information (including the date of initial review and subsequent annual reviews),
12. The name of each qualified operator (including documentation of training, the dates of training at a State-approved incinerator training course or an equivalent training course, the dates of training at review or refresher courses, and the qualification dates for each training course for each qualified operator),
13. The phone and/or pager number at which each qualified operator can be reached during operating hours.

A "State-approved incinerator training course or an equivalent training course" shall, at a minimum, include:

1. Written materials for course training topics suitable for reference following the course;
2. Training on the following subjects:
  - a. Environmental concerns (including emissions),
  - b. Basic combustion principles (including products of combustion),
  - c. Operation of the specific type of incinerator to be used by the operator (including proper startup, waste charging, and shutdown procedures),
  - d. Combustion controls and monitoring,
  - e. Operation of air pollution control equipment and factors affecting performance,
  - f. Inspection and maintenance of the incinerator and air pollution control devices,
  - g. Actions to correct malfunctions or conditions that may lead to malfunction,
  - h. Bottom and fly ash characteristics and handling procedures,
  - i. Applicable Federal, State, and local regulations (including Occupational Safety and Health Administration workplace standards),
  - j. Pollution prevention, and
  - k. Waste management practices;
3. A qualification examination designed and administered by the instructor.

**Operating Limitations :****401 KAR 59:020**

1. A nameplate shall be installed in a conspicuous place on the incinerator. The nameplate shall give the manufacturer's name, model number, rated capacity, and the types of waste materials that the unit is designed to handle.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****Operating Limitations (Continued):****40 CFR 60 Subpart CCCC, 401 KAR 59:020, and agreement with the division**

2. The incinerator shall be used to burn only headliner trim scrap and rigid polyurethane foam scrap.
3. Initial startup shall not be initiated unless the division approves the debugging plan to be submitted by the permittee.
4. Excluding the first 45 days after initial startup, the incinerator shall be operated only if a qualified operator is accessible (except when a qualified operator is temporarily not accessible).
5. Excluding the first 45 days after initial startup, operation of the incinerator shall be allowed only if the site-specific information is established, suitable for inspection upon request by representatives of the division, available at the facility, and readily accessible to all incinerator operators.
6. If persons other than qualified operators listed in the source's site-specific information operate the incinerator, they shall initially review and annually review items 1 through 10 of the site-specific information with a qualified operator at the source prior to operating the incinerator.
7. Except when a qualified operator is temporarily not accessible, a person who is not a qualified operator may operate the incinerator only if Operating Limitation #6 is complied with and a qualified operator is the person's direct supervisor.
8. When all qualified operators are temporarily not accessible, other plant personnel familiar with operation of the incinerator may operate the incinerator if they have complied with Operating Limitation #6 and
  - a. For period of 8 hours to 2 weeks, the period when qualified operators were temporarily not accessible is recorded and reported in the source's annual report to the division.
  - b. For periods greater than 2 weeks,
    - i. The permittee notifies the division of this deviation in writing (including what caused this deviation, what you are doing to ensure that a qualified operator is accessible, and when you anticipate that a qualified operator will be accessible) within 10 days of initial determination of the extended temporary accessibility problem, and
    - ii. The permittee submits status reports to the division every 4 weeks following the notification described in Operating Limitations # 8bi outlining what is being done to ensure that a qualified operator is accessible, stating the anticipated end of the extended temporary accessibility problem, and requesting approval from the division to continue operation of the incinerator. If the division denies the the permittee's request to continue operation of the incinerator, all operation of the incinerator must cease within 90 days unless a qualified operator becomes accessible and the permittee notifies the division that operation of the incinerator is resuming since a qualified operator is now accessible.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****Operating Limitations (Continued):****40 CFR 60 Subpart CCCC, 401 KAR 59:020, and agreement with the division**

9. The maximum charge rate for the incinerator shall be 110% of the average charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

**Compliance Demonstration Method:**

To demonstrate compliance, install, calibrate (to the manufacturer's specifications), maintain, and operate a platform scale for measuring charge rate. At all times the incinerator is operating (except during malfunctions, associated repairs, and required quality assurance or quality control activities), continuously monitor the mass of materials to be charged to the incinerator and record the mass charged each hour.

Excluding data collected during malfunctions, associated repairs, and required quality assurance or quality control activities, compliance is demonstrated if the average charge rate each hour, calculated from data for the previous 3 operating hours, is no greater than 110% of the average charge measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

10. The incinerator shall not be operated unless the wet scrubber is operating normally with pressure drop across the scrubber measured to be at least 90% of the average pressure drop across the wet scrubber determined during the most recent performance test demonstrating compliance with the particulate matter emission limitations.

**Compliance Demonstration Method:**

To demonstrate compliance, install, calibrate (to the manufacturer's specifications), maintain, and operate a pressure measurement device with pressure taps before and after the scrubber to measure pressure drop across the scrubber. At all times the incinerator is operating (except during malfunctions, associated repairs, and required quality assurance or quality control activities), continuously monitor the pressure drop across the scrubber and record the pressure drop every 15 minutes.

Excluding data collected during malfunctions, associated repairs, and required quality assurance or quality control activities, compliance is demonstrated if the incinerator is operated only when the average pressure drop each hour, calculated from data for the previous 3 operating hours, is no less than 90% of the average pressure drop measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations.

11. The incinerator shall not be operated unless the wet scrubber is operating normally with scrubber liquor flow rate at the inlet to the scrubber measured to be at least 90% of the average liquor flow rate at the inlet to the wet scrubber determined during the most recent performance test demonstrating compliance with all applicable emission limitations.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****Operating Limitations (Continued):****40 CFR 60 Subpart CCCC, 401 KAR 59:020, and agreement with the division****Compliance Demonstration Method:**

To demonstrate compliance, install, calibrate (to the manufacturer's specifications), maintain, and operate a flow rate measurement device at the inlet of the scrubber to measure liquor flow rate into the scrubber. At all times the incinerator is operating (except during malfunctions, associated repairs, and required quality assurance or quality control activities), continuously monitor the liquor flow rate into the scrubber and record the flow rate every 15 minutes.

Excluding data collected during malfunctions, associated repairs, and required quality assurance or quality control activities, compliance is demonstrated if the incinerator is operated only when the average liquor flow rate each hour, calculated from data for the previous 3 operating hours, is no less than 90% of the average liquor flow rate into the scrubber measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

12. The incinerator shall not be operated unless the wet scrubber is operating normally with scrubber liquor pH at the inlet to the scrubber measured to be at least 90% of the average liquor pH at the inlet to the wet scrubber determined during the most recent performance test demonstrating compliance with the HCl emission limitation.

**Compliance Demonstration Method:**

To demonstrate compliance, install, calibrate (to the manufacturer's specifications), maintain, and operate a pH measurement device at the inlet of the scrubber to measure liquor pH at the inlet to the scrubber. At all times the incinerator is operating (except during malfunctions, associated repairs, and required quality assurance or quality control activities), continuously monitor the pH at the inlet to the scrubber and record the pH every 15 minutes.

Excluding data collected during malfunctions, associated repairs, and required quality assurance or quality control activities, compliance is demonstrated if the incinerator is operated only when the average pH each hour, calculated from data for the previous 3 operating hours, is no less than 90% of the average pH at the inlet to the scrubber measured during the most recent performance test demonstrating compliance with the HCl emission limitation.

13. During incinerator operation, the minimum temperature of the incinerator at the primary chamber exit shall be no more than 50°F below the average temperature at the primary chamber exit measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

**Compliance Demonstration Method:**

To demonstrate compliance, install, calibrate (to the manufacturer's specifications), maintain, and operate a temperature measurement device at the primary chamber exit. At all times the incinerator is operating (except during malfunctions, associated repairs, and required quality assurance or quality control activities), continuously monitor and record the temperature at the primary chamber exit.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****Operating Limitations (Continued):****40 CFR 60 Subpart CCCC, 401 KAR 59:020, and agreement with the division****Compliance Demonstration Method (Continued):**

Excluding data collected during malfunctions, associated repairs, and required quality assurance or quality control activities, compliance is demonstrated if the incinerator is operated only when the average temperature each hour, calculated from data for the previous 3 operating hours, is no more than 50°F below the average temperature at the primary chamber exit measured during the most recent performance test demonstrating compliance with the all applicable emission limitations.

14. During incinerator operation, the minimum temperature of the incinerator at the secondary chamber exit shall be no more than 50°F below the average temperature at the secondary chamber exit measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

**Compliance Demonstration Method:**

To demonstrate compliance, install, calibrate (to the manufacturer's specifications), maintain, and operate a temperature measurement device at the secondary chamber exit. At all times the incinerator is operating (except during malfunctions, associated repairs, and required quality assurance or quality control activities), continuously monitor and record the temperature at the secondary chamber exit.

Excluding data collected during malfunctions, associated repairs, and required quality assurance or quality control activities, compliance is demonstrated if the incinerator is operated only when the average temperature each hour, calculated from data for the previous 3 operating hours, is no more than 50°F below the average temperature at the primary chamber exit measured during the most recent performance test demonstrating compliance with the all applicable emission limitations.

15. During incinerator operation, the minimum oxygen concentration in the incinerator at the secondary chamber exit shall be 90% of the average oxygen concentration at the secondary chamber exit measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

**Compliance Demonstration Method:**

To demonstrate compliance, install, calibrate (to the manufacturer's specifications), maintain, and operate an oxygen concentration measurement device at the secondary chamber exit. At all times the incinerator is operating (except during malfunctions, associated repairs, and required quality assurance or quality control activities), continuously monitor the oxygen concentration at the secondary chamber exit and record the oxygen concentration every 15 minutes.



**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****Operating Limitations (Continued):****40 CFR 60 Subpart CCCC, 401 KAR 59:020, and agreement with the division****Compliance Demonstration Method (Continued):**

Excluding data collected during malfunctions, associated repairs, and required quality assurance or quality control activities, compliance is demonstrated if the incinerator is operated only when the average oxygen concentration each hour, calculated from data for the previous 3 operating hours, is no less than 90% of the average oxygen concentration at the secondary chamber exit measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

16. Excluding the first 45 days after initial startup, the incinerator shall be operated only if the most recent performance test applicable to each pollutant regulated through 40 CFR 60 Subpart CCCC indicates compliance with the applicable emission limitation. If testing indicates that the incinerator is not in compliance with any applicable emission limitation, the incinerator shall be operated only for the purpose of performance testing.

**Emission Limitations :****401 KAR 59:020**

1. Section 3(2)(a) limits total particulate matter emissions from the unit to a maximum of 230 mg / dry standard cubic meter corrected to 12% CO<sub>2</sub> excluding contribution of CO<sub>2</sub> from auxiliary fuel.

**Compliance Demonstration Method:**

Compliance is demonstrated through annual testing described in [Testing Requirement #1](#) and compliance with [Operating Limitations #2 through #16](#).

**40 CFR 60 Subpart CCCC and agreement with the division**

2. Dioxins/furans emitted from the incinerator shall be no more than 0.41 nanograms / dry standard cubic meter on a toxic equivalency basis and corrected to 7% oxygen under standard conditions.

**Compliance Demonstration Method:**

Toxic equivalency is determined with 2,3,7,8-tetrachlorinated dibenzo-p-dioxin as the reference compound and the following toxic factors used to describe equivalency.

<u>Dioxin or furan</u>	<u>Equivalency factor</u>
2,3,7,8-tetrachlorinated dibenzo-p-dioxin	1
1,2,3,7,8-pentachlorinated dibenzo-p-dioxin	0.5
1,2,3,4,7,8-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,7,8,9-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,6,7,8-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,4,6,7,8-heptachlorinated dibenzo-p-dioxin	0.01
octachlorinated dibenzo-p-dioxin	0.001

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****Emission Limitations (Continued):****40 CFR 60 Subpart CCCC and agreement with the division****Compliance Demonstration Method (Continued):**

<u>Dioxin or furan</u>	<u>Equivalency factor</u>
2,3,7,8-tetrachlorinated dibenzofuran	0.1
2,3,4,7,8-pentachlorinated dibenzofuran	0.5
1,2,3,7,8-pentachlorinated dibenzofuran	0.05
1,2,3,4,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,6,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,7,8,9-hexachlorinated dibenzofuran	0.1
2,3,4,6,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,4,6,7,8-heptachlorinated dibenzofuran	0.01
1,2,3,4,7,8,9-heptachlorinated dibenzofuran	0.01
octachlorinated dibenzofuran	0.001

Because equivalency is considered, measured emissions must be adjusted by the equivalency factor when demonstrating compliance. For example, if 0.2 nanograms of 2,3,7,8-tetrachlorinated dibenzo-p-dioxin, 50 nanograms of octachlorinated dibenzo-p-dioxin, and 1.5 nanograms 1,2,3,7,8,9-hexachlorinated dibenzofuran are measured, the equivalent dioxin/furan emission is not 51.7 nanograms. The equivalent dioxin/furan emission is 0.40 nanograms in the example since  $0.2 \times 1 + 50 \times 0.001 + 1.5 \times 0.1 = 0.40$ .

Compliance is demonstrated through initial testing measurements, subsequent testing measurements, utilization of the equivalency factors on the test measurements, and compliance with Operating Limitations #2 through #16. Testing is described in Testing Requirement #2.

3. Hydrogen chloride emitted from the incinerator shall be no more than 62 parts per million by dry volume corrected to 7% oxygen under standard conditions.

**Compliance Demonstration Method:**

Compliance is demonstrated through annual testing described in Testing Requirement #3 and compliance with Operating Limitations #2 through #16.

4. Lead emitted from the incinerator shall be no more than 0.04 mg / dry standard cubic meter corrected to 7% oxygen under standard conditions.

**Compliance Demonstration Method:**

Compliance is demonstrated through an initial test described in Testing Requirement #4 and is subsequently assumed if Operating Limitations #2 through #16 are complied with.

5. Mercury emitted from the incinerator shall be no more than 0.47 mg / dry standard cubic meter corrected to 7% oxygen under standard conditions.



**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****Emission Limitations (Continued):****40 CFR 60 Subpart CCCC and agreement with the division****Compliance Demonstration Method:**

Compliance is demonstrated through an initial test described in Testing Requirement #4 and is subsequently assumed if Operating Limitations #2 through #16 are complied with.

6. Visible emissions from the incinerator shall be limited to a maximum of 10% opacity *[this requirement will also satisfy the opacity requirement of 401 KAR 59:020 Section 3(1)]*.

**Compliance Demonstration Method:**

Compliance is demonstrated through annual testing described in Testing Requirement #5 and compliance with Operating Limitations #2 through #16.

7. NO<sub>x</sub> emitted from the incinerator shall be no more than 388 parts per million by dry volume corrected to 7% oxygen under standard conditions.

**Compliance Demonstration Method:**

Compliance is demonstrated through an initial test described in Testing Requirement #6 and is subsequently assumed if Operating Limitation #2 is complied with.

8. Particulate matter emitted from the incinerator shall be no more than 70 mg / dry standard cubic meter corrected to 7% oxygen under standard conditions.

**Compliance Demonstration Method:**

Compliance is demonstrated through annual testing described in Testing Requirement #7 and compliance with Operating Limitations #2 through #16.

9. SO<sub>2</sub> emitted from the incinerator shall be no more than 20 parts per million by dry volume corrected to 7% oxygen under standard conditions.

**Compliance Demonstration Method:**

Compliance is demonstrated through an initial test described in Testing Requirement #8 and is subsequently assumed if Operating Limitations #2 through #16 are complied with.

**Testing Requirements:****By agreement with the division**

All initial tests shall be performed within 45 days of initial startup of the incinerator.

**401 KAR 59:020**

1. Initial compliance testing for Emission Limitation #1 shall be performed as described in 401 KAR 59:020 Section 6 or Section 7 using EPA Methods 1, 2, 3, and 5 of 40 CFR 60 Appendix A (except as alternatively approved by the U.S. EPA and the division). Subsequent testing shall be conducted at such times as may be required by the cabinet in accordance with Regulations 401 KAR 59:005 Section 2(2) and 401 KAR 50:045 Section 4.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****Testing Requirements (Continued):****40 CFR 60 Subpart CCCC and agreement with the division**

2. An initial compliance test shall be performed as described in 40 CFR 60.2125 using EPA Methods 1, 2, 3, and 23 of 40 CFR 60 Appendix A (except as alternatively approved by the U.S. EPA and the division) to demonstrate dioxin/furan toxic equivalency emissions of the incinerator. Subsequent testing shall be completed within 12 months of the previous test, except if the permittee has 3 years of test data for dioxins/furans indicating compliance without a subsequent failure to demonstrate compliance, the permittee requests a period of up to 36 months between tests, and the division approves the extended period between tests.
3. An initial compliance test shall be performed as described in 40 CFR 60.2125 using EPA Methods 1, 2, 3, and 26A of 40 CFR 60 Appendix A (except as alternatively approved by the U.S. EPA and the division) to demonstrate hydrogen chloride emissions of the incinerator. Subsequent testing shall be completed within 12 months of the previous test, except if the permittee has 3 years of test data for HCl indicating compliance without a subsequent failure to demonstrate compliance, the permittee requests a period of up to 36 months between tests, and the division approves the extended period between tests.
4. An initial compliance test shall be performed as described in 40 CFR 60.2125 using EPA Methods 1, 2, 3, and 29 of 40 CFR 60 Appendix A (except as alternatively approved by the U.S. EPA and the division) to demonstrate lead and mercury emissions of the incinerator.
5. An initial compliance test shall be performed as described in 40 CFR 60.2125 using EPA Methods 1, 2, 3, and 9 of 40 CFR 60 Appendix A (except as alternatively approved by the U.S. EPA and the division) to demonstrate opacity of emissions from the incinerator. Subsequent testing shall be completed within 12 months of the previous test, except if the permittee has 3 years of test data for opacity indicating compliance without a subsequent failure to demonstrate compliance, the permittee requests a period of up to 36 months between tests, and the division approves the extended period between tests.
6. An initial compliance test shall be performed as described in 40 CFR 60.2125 using EPA Methods 1, 2, 3, and 7, 7A, 7C, 7D, or 7E of 40 CFR 60 Appendix A (except as alternatively approved by the U.S. EPA and the division) to demonstrate NO<sub>x</sub> emissions of the incinerator.
7. An initial compliance test shall be performed as described in 40 CFR 60.2125 using EPA Methods 1, 2, 3, and 5 or 29 of 40 CFR 60 Appendix A (except as alternatively approved by the U.S. EPA and the division) to demonstrate particulate matter emissions of the incinerator. Subsequent testing shall be completed within 12 months of the previous test, except if the permittee has 3 years of test data for particulate matter indicating compliance without a subsequent failure to demonstrate compliance, the permittee requests a period of up to 36 months between tests, and the division approves the extended period between tests.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****Testing Requirements (Continued):****40 CFR 60 Subpart CCCC and agreement with the division**

8. An initial compliance test shall be performed as described in 40 CFR 60.2125 using EPA Methods 1, 2, 3, and 6 or 6c of 40 CFR 60 Appendix A (except as alternatively approved by the U.S. EPA and the division) to demonstrate SO<sub>2</sub> emissions of the incinerator.

**Specific Monitoring Requirements:**

See Operating Limitations #9 through #15.

**Specific Record Keeping Requirements:****40 CFR 60 Subpart CCCC, 401 KAR 59:020, and agreement with the division.**

All records shall include the calendar date that they represent and shall be maintained by the permittee for at least 5 years. All records must be available onsite in paper or an immediately printable electronic format.

1. Record the incinerator charge dates, times, weights, and hourly charge rates.
2. Record the liquor flow rate to the wet scrubber inlet every 15 minutes of operation.
3. Record the pressure drop across the wet scrubber system every 15 minutes of operation.
4. Record the liquor pH as introduced to the wet scrubber every 15 minutes of operation.
5. Continuously record the temperature at the primary chamber exit during incinerator operation.
6. Continuously record the temperature at the secondary chamber exit during incinerator operation.
7. Record the oxygen concentration at the secondary chamber exit every 15 minutes of operation.
8. Record the calendar dates and times for which monitoring systems used to monitor operating limits were inoperative, inactive, malfunctioning, or out of control (except for downtime associated with zero and span and other routine calibration checks). Identify the operating parameters not measured, the duration, reasons for not obtaining the data, and a description of corrective actions taken.
9. Record the calendar dates, times, and duration of malfunctions, include a description of each malfunction and the corrective action taken for each.
10. Identify and record calendar dates and times for which data show a deviation from Operating Limitation #2 and Operating Limitations #9 through #15 (include a description of the deviations, reasons for such deviations, and a description of corrective actions taken).
11. Record the results of the initial, annual, and any subsequent performance tests conducted to determine compliance with the emission limits and/or to establish operating limits, as applicable. Retain a copy of the complete test report including calculations.
12. The siting analysis prepared as part of the initial construction/operation application for the incinerator shall be recorded at the source.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****Specific Record Keeping Requirements (Continued):****40 CFR 60 Subpart CCCC, 401 KAR 59:020, and agreement with the division.**

13. Record all the site-specific information applicable to the source.
14. Record date and correction needed, if applicable, for monitoring device calibrations.
15. Record equipment vendor specifications and related operation and maintenance requirements for the incinerator, scrubber, and monitoring equipment.
16. On a daily basis, record in a log the quantity of each waste burned and the types of waste burned.

**Specific Reporting Requirements:****40 CFR 60 Subpart CCCC, 401 KAR 59:020, and agreement with the division**

The reporting requirements shall be certified by a responsible official, and delivered by electronic media (such as fax or e-mail) or postmarked to the Division's [Paducah](#) Regional Office and the U.S. EPA Region IV as indicated in the requirements. The certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the documents are true, accurate, and complete. Name, title, and signature of the responsible official are required.

1. At least 30 days prior to initial startup of the incinerator, a debugging plan shall be submitted to the EPA and the Regional Office (as indicated above) with an additional copy sent to Mr. Rick Shewekah at 803 Schenkel Lane, Frankfort, Kentucky 40601.
2. After issuance of the proposed or final permit and prior to commencing construction, report the anticipated date of initial startup.
3. The facilities manager shall sign and report no later than 45 days following completion of fieldwork
  - a. All initial performance test reports,
  - b. Numeric values and units for limits described in Operating Limitations #9 through #15 that are determined through the initial performance tests,
  - c. Any subsequent performance test reports that follow an initial test that demonstrates a deviation from the applicable emission limitation (until compliance is demonstrated), and
  - d. Numeric values and units for limits described in Operating Limitations #9 through #15 that are determined through any subsequent performance tests that follow an initial test that demonstrates a deviation from the applicable emission limitation (until compliance is demonstrated).
4. Assuming that the initial performance tests or subsequent tests demonstrate compliance with the applicable requirements, the facilities manager shall sign and report no later than 45 days following completion of fieldwork
  - a. All subsequent performance test reports, and
  - b. Numeric values and units for limits described in Operating Limitations #9 through #15.
5. Report when all qualified operators are temporarily not accessible for periods greater than 2 weeks as described in Operating Limitation #8b.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****Specific Reporting Requirements (Continued):**

**40 CFR 60 Subpart CCCC, 401 KAR 59:020, and agreement with the division.**

6. Report semiannually when compliance was not demonstrated for Operating Limitations #9 through #15, unless compliance was not demonstrated for a period in excess of 4 hours. If compliance was not demonstrated for a period in excess of 4 hours, report with 10 business days. Include:
  - a. The calendar dates and times when compliance was not demonstrated,
  - b. The averaged and recorded data for those dates,
  - c. Durations, causes, and corrective actions associated with each deviation,
  - d. A copy of all automated monitoring data for the incinerator recorded during each deviation and any test report that documents the emission levels,
  - e. The dates, times, number, duration, and causes for monitor downtime incidents (other than downtime associated with zero, span, and other routine calibration checks), and
  - f. Whether each deviation occurred during a period of startup, shutdown, or malfunction, or during another period.
7. Submit an annual report including:
  - a. Company name and address,
  - b. Date of report and beginning and ending dates of the reporting period,
  - c. The values for limits described in Operating Limitations #9 through #15,
  - d. A statement that compliance was demonstrated for Operating Limitations #9 through #15 during all times during the reporting period and that no monitoring system used to determine compliance with the operating limits was inoperative, inactive, malfunctioning or out of control if Specific Reporting Requirement #6 is not triggered during the reporting period,
  - e. The highest recorded 3-hour average incinerator charge rate and the lowest recorded 3-hour average scrubber pressure drop, scrubber liquor flow rate, scrubber liquor pH, incinerator primary chamber exit temperature, incinerator secondary chamber exit temperature, and incinerator secondary chamber exit oxygen concentration recorded for the calendar year being reported,
  - f. Information recorded as a result of compliance with Specific Record Keeping Requirements #8, #9, and #10,
  - g. Annual tests that were not performed due to extensions during the reporting period (if the division approved an extended period between tests), and
  - h. Periods when all qualified operators were unavailable for more than 8 hours, but less than 2 weeks.

**Specific Control Equipment Operating Conditions:**

The Specific Control Equipment Operating Conditions are contained in the Operating Limitations above.

**Alternate Operating Scenarios:**

N/A

**SECTION C - INSIGNIFICANT ACTIVITIES**

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:020 Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

	<u>Description</u>	<u>Generally Applicable Regulation</u>
1.	Rough-cut foam machine	401 KAR 59:010
2.	Mold and trim presses	None
3.	A Cannon C-300 foam production machine (Compounds containing polyether polyol and an aromatic isocyanate blend are mixed in a pour head to make foam buns. From the pour head, the mixture is poured into a mold where the foam starts to rise due to CO <sub>2</sub> generated. The foam is held in the mold for approximately 20 minutes before it is removed. The foam bun is then allowed to cure for at least 24 hours. The maximum foam production rate is estimated to be 1,326 lbs/hr. Construction commenced in 1995.)	None

**SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS**

N/A

## **SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS**

1. Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.



## **SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS**

1. Pursuant to Section 1b (IV)(1) of the materials incorporated by reference in 401 KAR 52:020 Section 10, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
  - a. Date, place (as defined in this permit), and time of sampling or measurements;
  - b. Analyses performance dates;
  - c. Company or entity that performed analyses;
  - d. Analytical techniques or methods used;
  - e. Analyses results; and
  - f. Operating conditions during time of sampling or measurement.
2. Pursuant to Section 1b (IV)(2) of the materials incorporated by reference in 401 KAR 52:020 Section 10, records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality shall be retained by the permittee for a period of five years. In accordance with Section 1a (8) of the materials incorporated by reference in 401 KAR 52:020 Section 10, these records shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality.
3. In accordance with the requirements of Regulation 401 KAR 52:020 Section 3(1)(h) the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
  - a. Access and copy any records required by this permit, enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation; and
  - b. Sample or monitor substances or parameters that affect compliance with the permit or any applicable requirements.Reasonable times include all hours of operation, normal office hours, and during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Pursuant to Section 1b V(1) of the material incorporated by reference in 401 KAR 52:020 Section 10, summary reports of any monitoring required by this permit shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. Reports for emission units that are still under construction or emission units that have not commenced operation at the end of the period shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation.

## SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

6. All monitoring summary reports shall:
  - a. Be certified by a responsible official pursuant to 401 KAR 52:020 Section 23,
  - b. Clearly identify all deviations from permit requirements, and
  - c. Be submitted prior to January 30th and July 30th of each year.
7. In accordance with the provisions of 401KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
  - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
  - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards notification shall be made as promptly as possible by telephone (or other electronic media) and shall cause written notice upon request.
8. Pursuant to Section 1b V(3) and (4) of the material incorporated by reference in 401 KAR 52:020 Section 10, the owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7 above) to the Regional Office listed on the front of this permit within [30 days](#). Other deviations from permit requirements shall [be included in the semiannual report required by Section F.5](#).
9. Pursuant to 401KAR 52:020, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit by completing and returning a Compliance Certification Form (DEP 7007CC) (or an approved alternative) to the Regional Office listed on the front of this permit, the Division's Central Files, and the U.S. EPA in accordance with the following requirements:
  - a. Identification of each term or condition of the permit that is the basis of the certification;
  - b. The compliance status regarding each term or condition of the permit;
  - c. Whether compliance was continuous or intermittent; and
  - d. The method used for determining the compliance status for the source, currently and over the reporting period.
  - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the year covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.
  - f. The certification shall be postmarked by January 30th of each year. **Annual compliance certifications should be mailed to the following addresses:**

**SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)**

**Division for Air Quality  
Paducah Regional Office  
4500 Clarks River Road  
Paducah, KY 42003**

**U.S. EPA Region IV  
Air Enforcement Branch  
Atlanta Federal Center  
61 Forsyth Street  
Atlanta, GA 30303-8960**

**Division for Air Quality  
Central Files  
803 Schenkel Lane  
Frankfort, KY 40601**

10. In accordance with Regulation 401 KAR 52:020, Section 22, the permittee shall provide the division with all information necessary to determine its subject emissions within thirty (30) days of the date the KEIS emission report is mailed to the permittee.
11. Except as identified in Section B of this permit, pursuant to Section VII.3 of the policy manual of the Division for Air Quality as referenced by Regulation 401 KAR 50:016, Section 1(1), results of performance test(s) required by the permit shall be submitted to the division by the source or its representative within forty-five days after the completion of the fieldwork.

**SECTION G - GENERAL PROVISIONS****(a) General Compliance Requirements**

1. The permittee shall comply with all conditions of this permit. A noncompliance shall be a violation of 401 KAR 52:020 and the Clean Air Act and is grounds for enforcement action including but not limited to the termination, revocation and reissuance, revision, or denial of a permit. [Section 1a (3) of the materials incorporated by reference in 401 KAR 52:020 Section 10]
2. Notification by the permittee of a planned change or anticipated noncompliance, or filing of a request for any permit revision, reissuance, or rescission shall not stay any permit condition. [Section 1a (6) of the materials incorporated by reference in 401 KAR 52:020 Section 10]
3. Pursuant to Section 1a (3) of the materials incorporated by reference in 401 KAR 52:020 Section 10, 401 KAR 52:020 Section 7(3), and 401 KAR 50:060 Section 2, this permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:020 Section 19. The permit will be reopened for cause and revised accordingly under the following circumstances:
  - a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:020 Section 12;
  - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
  - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish upon request information requested by the division to determine compliance with the permit or to determine if cause exists for modifying, revoking and reissuing, or terminating the permit. [Sections 1a (7) and (8) of the materials incorporated by reference in 401 KAR 52:020 Section 10]

## **SECTION G - GENERAL PROVISIONS (CONTINUED)**

5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority. [401 KAR 52:020 Section 7(1)]
6. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit. [Section 1a (14) of the materials incorporated by reference in 401 KAR 52:020 Section 10]
7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance. [Section 1a (4) of the materials incorporated by reference in 401 KAR 52:020 Section 10]
8. Except as identified as state-origin requirements in this permit, all terms and conditions contained herein shall be enforceable by the United States Environmental Protection Agency and citizens of the United States. [Section 1a (15)(b) of the materials incorporated by reference in 401 KAR 52:020 Section 10]
9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038 Section 3(6). [Section 1a (10) of the materials incorporated by reference in 401 KAR 52:020 Section 10]
10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [401 KAR 52:020 Section 11(3)(b)]
11. This permit does not convey property rights or exclusive privileges. [Section 1a (9) of the materials incorporated by reference in 401 KAR 52:020 Section 10]
12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.
13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry. [401 KAR 52:020 Section 11(3)(d)]
14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders. [401 KAR 52:020 Section 11(3)(a)]
15. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.

## SECTION G - GENERAL PROVISIONS (CONTINUED)

16. Permit Shield – A permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with:
- (a) Applicable requirements included and specifically identified in this permit; and
  - (b) Non-applicable requirements expressly identified in this permit.

17. In accordance with 40 CFR 60.2120, the incinerator operating and emission limitations apply at all times except startups, shutdowns, and malfunctions and malfunctions shall last no longer than 3 hours.

(b) Permit Expiration and Reapplication Requirements

- 1. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the division. [401 KAR 52:020 Section 12]
- 2. The authority to operate granted through this permit shall cease to apply if the source fails to submit additional information requested by the division after the completeness determination has been made on any application, by whatever deadline the division sets. [401 KAR 52:020 Section 8(2)]

(c) Permit Revisions

- 1. Minor permit revision procedures specified in 401 KAR 52:020 Section 14 (3) may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:020 Section 14 (2).
- 2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements

- 1. Construction of process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.

## **SECTION G - GENERAL PROVISIONS (CONTINUED)**

2. Within thirty (30) days following commencement of construction and within fifteen (15) days following start-up and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Regional Office listed on the front of this permit in writing, with a copy to the division's Frankfort Central Office, notification of the following:
  - a. The date when construction commenced.
  - b. The date of start-up of the affected facilities listed in this permit.
  - c. The date when the maximum production rate specified in the permit application was achieved.
3. Affected facilities that are not completed in accordance with 401 KAR 52:020 Section 3(2) shall lose the construction and operation authorization granted in this permit. Accordingly:
  - a. Construction shall commence no later than 18 months after the date of issue of this permit;
  - b. Construction shall not begin and discontinue for 18 months or more unless the construction authorized is approved as a phased project;
  - c. Construction shall be completed within 18 months of the scheduled completion date; and
  - d. Each phase of a phased construction project shall commence construction within 18 months of the projected and approved commencement date.Upon a written request, the division may extend these time periods if the source shows good cause.
4. Terms and conditions in this permit established pursuant to the construction authority of 401 KAR 51:017 or 401 KAR 51:052 shall not expire.
5. For those affected facilities for which construction is authorized by this permit, a source shall be allowed to construct with the proposed permit. Operation of the affected facilities for which construction is authorized by this permit shall not commence until compliance with the applicable standards specified herein has been demonstrated pursuant to 401 KAR 50:055, except as provided in Section I of this permit.
6. Except as specifically otherwise indicated in Section B of this permit, this permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, within sixty (60) days after achieving the maximum production rate at which the affected facilities will be operated but not later than 180 days after initial start-up of such facilities, the permittee shall conduct a performance demonstration or test on the affected facilities in accordance with 401 KAR 50:055, General compliance requirements. Performance tests must be conducted in accordance with General Provision G(d)6 of this permit and the permittee must also furnish a written report of the results of such performance tests to the division's Frankfort Central Office.



**SECTION G - GENERAL PROVISIONS (CONTINUED)**

7. Pursuant to Section VII 2.(1) of the policy manual of the Division for Air Quality as referenced by 401 KAR 50:016, Section 1.(1), at least one month prior to the date of the required performance test, the permittee shall complete and return a Compliance Test Protocol (Form DEP 6027) to the division's Frankfort Central Office. Pursuant to 401 KAR 50:045, Section 5, the division shall be notified of the actual test date at least ten (10) days prior to the test.

(e) Acid Rain Program Requirements

1. If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

(f) Emergency Provisions

1. Pursuant to 401 KAR 52:020 Section 24(1), an emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
  - a. An emergency occurred and the permittee can identify the cause of the emergency;
  - b. The permitted facility was at the time being properly operated;
  - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
  - d. The permittee notified the division as promptly as possible; and,
  - e. Pursuant to 401 KAR 52:020 and 401 KAR 50:055, the permittee submitted written notice of the emergency to the division not later than two (2) working days after the time when emission limitations were exceeded due to the emergency and any other time that the director of the division requests. The notice shall include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken.
2. Notification of the division does not relieve the source of any other local, state or federal notification requirements.
3. Emergency conditions listed in General Provision G(f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement. [401 KAR 52:020 Section 24(3)]
4. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [401 KAR 52:020 Section 24(2)]



## SECTION G - GENERAL PROVISIONS (CONTINUED)

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

**RMP Reporting Center**  
**P.O. Box 3346**  
**Merrifield, VA, 22116-3346**

2. If requested, the permittee shall submit additional relevant information to the division or the U.S. EPA.

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
  - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
  - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
  - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
  - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
  - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
  - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

## **SECTION H - ALTERNATE OPERATING SCENARIOS**

N/A

**SECTION I - COMPLIANCE SCHEDULE**

N/A